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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IN RE: FACEBOOK, INC. CONSUMER
PRIVACY USER PROFILE LITIGATION,

This document relates to:

ALL ACTIONS

CASE NO. 3:18-MD-02843-VC

**SUPPLEMENTAL DECLARATION OF
RUSSELL H. FALCONER IN SUPPORT
OF FACEBOOK, INC.'S AMENDED
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL SPECIAL MASTER'S
ORDER AND EXHIBITS THERETO**

1 I, Russell H. Falconer, declare and state as follows:

2 1. I am a partner at the law firm of Gibson, Dunn & Crutcher LLP, counsel of record for
3 Facebook, Inc. (“Facebook”) in the above-captioned matter. I am a member in good standing of the
4 State Bar of Texas. I submit this declaration in support of Facebook’s Amended Administrative Mo-
5 tion to Temporarily File Under Seal Special Master’s Order and Exhibits Thereto. I make this decla-
6 ration on my own knowledge, and I would testify to the matters stated herein under oath if called
7 upon to do so.
8

9 2. Attached as **Exhibit 1** is a true and correct **unredacted** copy of the Special Master’s
10 August 19, 2022 Order Regarding Plaintiffs’ Request for Leave to Move for Reconsideration of Or-
11 der Re: Motion to Compel Production of Documents Related to Protiviti Assessment (the “Order”)
12 and the Exhibits thereto.
13

14 3. Attached as **Exhibit 2** is a true and correct **redacted** copy of the Special Master’s Au-
15 gust 19, 2022 Order Regarding Plaintiffs’ Request for Leave to Move for Reconsideration of Order
16 Re: Motion to Compel Production of Documents Related to Protiviti Assessment (the “Order”) and
17 the Exhibits thereto.

18 4. Facebook proposes redacting confidential information regarding its data systems and
19 Facebook’s proprietary data storage and processing practices.¹ How Facebook stores, manages,
20 tracks, preserves, deletes, and processes data for billions of users across its data systems are key com-
21 ponents of its business that set it apart and ahead of its competitors. I understand that, if publicly dis-
22 closed, Facebook’s competitors could take advantage of this information to improve their own meth-
23 ods for managing high volumes of user data or for tracking and storing user data across data systems,
24
25
26

27 _____
28 ¹ Ex. 2 at Ex. C, 1–2.

1 to Facebook's competitive disadvantage. Hackers and other bad actors also could use this infor-
2 mation to better understand Facebook's data systems and target specific repositories of data, poten-
3 tially harming both Facebook and its users.

4
5 5. Facebook proposes to seal confidential information regarding Facebook's privacy and
6 platform policy enforcement practices, including Facebook's decision-making process for evaluating
7 apps and developers that may be violating its policies.² I understand that public disclosure of details
8 regarding Facebook's policy-enforcement efforts would reveal confidential information regarding Fa-
9 cebook's internal operations that could be used by bad actors to attempt to circumvent and evade Fa-
10 cebook's enforcement strategies, potentially harming Facebook and its users.

11 I declare under penalty of perjury under the laws of the United States that the foregoing is true
12 and correct.

13
14
15 Executed on August 31, 2022 in Dallas, Texas.

16
17 */s/ Russell H. Falconer*

18 _____
Russell H. Falconer

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27 _____
28 ² Ex. 2 at Ex. C, 1–2.